

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

RICHARD C. TOLBERT.

Plaintiff,

VS.

KELVIN ROBERTS, et al.,

Defendants.

CIVIL ACTION FILE
NO. 1:04-CV-72 (WLS)

ORDER TO SHOW CAUSE

On June 27, 2006, the undersigned entered an order herein denying this *pro se* plaintiff's motion for a pre-trial hearing as being premature due to pending motions for summary judgment. Plaintiff's service copy of that order was mailed to him at his last known address, the Fulton County Jail on June 28, 2006, and returned to the Office of the Clerk of Court as undeliverable at that address on July 11, 2006.¹ The last contact with the court initiated by plaintiff was on September 23, 2005, wherein he filed a response in opposition to defendants' motion for summary judgment.

The order entered herein by the court on November 18, 2004, sanctioning this matter to go forward advised that, “[d]uring the pendency of this action, each party shall at all times keep the

¹Until recently plaintiff had two other cases pending in this court in which his mail was returned as undeliverable by the Fulton County Jail. On July 27, 2006, the District Judge adopted the recommendation of dismissal in case number 7:05-cv-111(HL), Tolbert v. Peete. The undersigned is also entering a show cause order in case number 7:05-cv-96(HL), Tolbert v. Hart et al.

clerk of this court and all opposing attorneys and/or parties advised of his current address.

Failure to promptly advise the Clerk of any change of address may result in the dismissal of a parties pleadings filed herein.” In view of the above and foregoing the plaintiff is hereby

ORDERED and **DIRECTED** to show cause on or before the close of business on Thursday, August 31, 2006, why his complaint should not be dismissed for his failure to obey an order of this court and keep the court advised of his current address.

SO ORDERED, this 9th day of August 2006.

/s/ **Richard L. Hodge**
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE